

REMARKS

This amendment is responsive to the Office Action dated September 12, 2007. Claims 1 - 28 are pending in the application and have been rejected. Reexamination is respectfully requested.

These remarks follow the order of the outstanding Office Action beginning at page 2 thereof.

Claim Rejections - 35 USC § 102(b)

Claims 1 - 3 and 25 have been rejected under 35 USC § 102(b) as being anticipated by US Patent 5,770,533 (Franchi). These claims have each been amended to specify that the communication terminal of the guest is located in the guest room and to further require that the communication terminal comprise a card reading means for reading guest information specifying the guest stored in a predetermined guest card. The communication terminal located in the guest room having a card reader clearly defines over '533.

Claim Rejections - 35 USC § 103

Claims 4 - 28 have been rejected as being unpatentable over Franchi '533 in view of US Patent Application 2002/1023377 A1 (Shulman). This rejection is respectfully traversed for the reasons that follow.

In the outstanding Office Action, the examiner argues that, "It would be obvious to combine the Franchi portable device used

in the open architecture casino operating system with the Shulman poker tournament run on a local area network because all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention."

This is a statement of hindsight not supported by any teaching, suggestion or motivation.

Franchi teaches a casino operating system which is for the control of funds and monitoring of gambling activities in a casino or gambling establishment utilizing a network of computers (see Abstract). Franchi is described as an open architecture adaptable to accommodate differing needs inside of the casino. In the Franchi casino, player consoles, such as that shown in reference numeral (1203) (Figure 12) may receive player cards. Also in Franchi is shown a "RSAT" which is reference number (1600) (Figure 16) and shown in another embodiment at RSAT (1700) (Figure 17). The RSAT devices are carried by hand and include what appears to be game specific controls. There is no suggestion in '533 that the games take place any place else other than in the casino area.

Shulman, on the other hand, teaches a computer assisted poker tournament. The poker tournament of Shulman is a computer poker tournament, and not one played with cards, and not a roulette game. Applicant's claims relate to roulette, such as claim 4, and cards, such as claim 14. In applicant's claims, the gaming media are not computers, they are actual casino floor

gambling devices. Shulman, on the other hand, is a virtual game, not a casino floor game. The examiner relies upon [0023] of Shulman, lines 4 - 9 to argue that it is obvious to locate the claimed communication terminals in guest rooms. However, there are many rooms in a hotel or casino, and there is no suggestion that there is any advantage to being located in the guest room. Similarly, Franchi provides no suggestion or any reason to locate such a terminal beyond the casino area. Franchi's portable terminals, RSAT's, are not a communication terminal of the guest located in the guest room. There is simply no suggestion of location in a guest room and the assertion of obviousness is an exercise in hindsight based upon the teaching of applicant's specification and claims.

Claim 22

Claim 22 is not suggested by either of the references. Claim 22 states that the game card has an IC tag incorporated into the game card. This element is not suggested by column 3, lines 17 - 25 of '533, which refers to an IC card in a control held by the player. In '377, the game is virtual so there would be no IC cards associated with any cards.

In Figure 9 of '533, there are shown bar codes on the face of a card (903) (see also, column 10, lines 43 - 60). Barcodes are not IC tags.

Location in a Guest Room is Not Obvious

It is well known that the first and foremost matter of importance in casino operation is encouraging the player (casino or hotel guest) to play and bet money for as long as possible and, therefore, increase the casino profit. It is well known that the casino (hotel) or arcade receives an overall small percentage of the entire amount of the money bet by all persons playing machines or other games in the casino or arcade. This is the house percentage. As a practical matter, the more money that is wagered by playing games, the greater the house profit.

For this reason, it is desirable to provide the hotel or casino guest with the opportunity to play games as long as possible and as much as possible during his/her stay at the hotel. In the disclosure of applicant's application, there is shown a system where the hotel guest can play in his room as well at the arcade. This extends the period of time in which the guest can play and, therefore, increases the amount of money that may be wagered by a specific individual due to the convenience of playing games from his/her room.

The ability to play a game from a guest room, therefore, provides a unique, added advantage of allowing the player to continue playing, enjoy playing and continue spending money while in his/her room.

A system that provides for a guest-specific information card allows each guest to play and receive credits in his/her room

rather than at a casino or arcade floor. The use of guest specific information in the room provides the ability to engage more continuous play and more continuous wagering of games that are in progress in the casino or arcade.

The relationship between the guest-specific card, the guest room, the guest's ability to play within the room and the consequent greater profits for the hotel is a significant advantage to a hotel or casino owner, and therefore, it is of significant importance to the manufacturer of devices that accomplish this task.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action in accordance thereof is requested. In the event there is any reason why the application cannot be allowed in this current condition, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems by Interview or Examiner's Amendment.

Respectfully submitted,



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